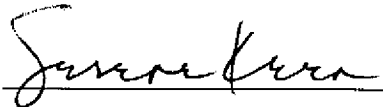


Response Under 37 CFR § 1.116
Expedited Procedure—Examining Group 2161
PATENT

CERTIFICATION OF ELECTRONIC SUBMISSION

I hereby certify that this correspondence is being deposited with the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 via electronic submission on the date shown below.

By: 

Date: 1/21/09

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------|---|---|-----------------------|
| Applic. No. | : | 10/728,389 | Confirmation No. 9231 |
| Applicant | : | Kevin Smith et al. | |
| Filed | : | December 5, 2003 | |
| Title | : | Tissue Retractor and Method for Using the Retractor | |
| TC/Art Unit | : | 3773 | |
| Examiner | : | Julian W. WOO | |
| | | | |
| Docket No. | : | SYN-8312 | |
| Customer No. | : | 27,316 | |

AMENDMENT

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Attention: Examiner WOO Tel (571) 272-4707

RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. § 1.116

Sir:

The following amendment is being submitted in response to the Final Office Action dated November 18, 2008. Please enter and consider the following amendment and remarks and issue the Advisory Action, if any, before the 3-month due date:

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